of the proceedings the deposition of the French advocate, taken by a commission, was offered in evidence. The trial court overruled an objection to the introduction of this deposition in evidence, and the defendant appeals. *Held,* that a proceeding to disbar an attorney is not a criminal action, and that the ruling of the trial court in admitting the deposition was correct. *In re Spenser* (1911), 128 N. Y. Supp. 168.

The authorities are not entirely in accord as to the precise nature of disbarment proceedings brought against an attorney. Some courts hold that they are purely civil proceedings. *In re Randel,* 158 N. Y. 216; *People* v. *Webster,* 28 Colo. 223; *In re Evans,* 22 Utah 366. On the other hand it has been decided that such proceedings are criminal or at least quasi-criminal. *In re Haymond,* 121 Cal. 385; *In re Clink,* 117 Mich. 619; *Thomas* v. *State,* 58 Ala. 365; *In re Baluss,* 28 Mich. 507. That such proceedings are not so far criminal as to entitle the accused to a trial by jury see, *In re Smith,* 73 Kan. 743; nor to entitle him to be present at the sittings of the commission created by rule of the supreme court to investigate the charges against him, *State* v. *Fourchy,* 106 La. 743. It has been held that the rule in criminal prosecutions that the guilt of the accused must be proved beyond a reasonable doubt does not apply in such proceedings. *In re Wellcome,* 23 Mont. 450. There is, however, some dissent from this doctrine. *People* v. *Harvey,* 41 Ill. 277. The supreme court of Montana which holds that disbarment proceedings are not criminal but civil, also holds that the presumption of the innocence of the accused exists. *In re Wellcome,* 23 Mont 259. As to the precise point decided in the principal case that depositions of an absent witness are competent evidence against the accused in disbarment proceedings the authorities are in accord. *State* v. *McRae,* 49 Fla. 389; *State* v. *Mosher,* 128 Iowa 82; *In re Wellcome,* 23 Mont. 259.

EVIDENCE—UNCORROBORATED TESTIMONY OF AN ACCOMPLICE.—Defendant was convicted of the crime of burglary. The conviction depended entirely upon the testimony of an accomplice, the testimony of other witnesses as to circumstances corroborative of the testimony of the accomplice being entirely inconclusive as tending to connect the defendant with the offense. In reversing the conviction the court *Held,* that, while it is not essential that the testimony in corroboration of an accomplice shall of itself be sufficient to warrant a verdict of guilty, or that the testimony of the accomplice shall be corroborated in every particular, it is necessary that in addition to the corroboration of the accomplice the testimony shall of itself be sufficient to raise an inference that the defendant is guilty. *Bishop* v. *State* (1911), — Ga. App. —, 70 S. E. 976.

Whether or not the unsupported testimony of an accomplice is sufficient to justify a conviction seems to be a matter upon which the decisions in the different states are in direct conflict. At the common law it was the rule that such a conviction was entirely proper. But during the last quarter of the eighteenth century it became the practice of the English judges to acquit where the sole testimony was that of an accomplice. *Stone* v. *State,* 118 Ga. 705. Among the cases in the different states which hold to the rule that the jury must acquit

where no other evidence is adduced except the uncorroborated testimony of an accomplice are *State* v. *Gordon,* 105 Minn. 217; *Bird* v. *State,* 36 Ala. 279; *People* v. *Sciaroni,* 4 Cal. App. 698. In Massachusetts, while it is held competent to convict, it is the practice of the trial judge to caution the jury and to advise them against convicting upon such testimony, and it may be regarded as the settled rule in that state to acquit under such circumstances. *Commonwealth* v. *Bosworth, 22* Pick. 397; *Commonwealth* v. *Scott,* 123 Mass. 222. In Georgia a conviction may be had upon the uncorroborated testimony of an accomplice in all cases of misdemeanor, but not in cases of felony where the only witness to a fact is an accomplice. *Stone* v. *State,* 118 Ga. 705. The following cases hold that there is no rule of law forbidding a conviction in cases of either misdemeanor or felony upon the accomplice's uncorroborated testimony. *People* v. *Nunn,* 120 Mich. 530; *Dawley* v. *State,* 4 Ind. 128; *Porath* v. *State,* 90 Wis. 527; *State* v. *Brown,* 168 Mo. 449; *Allen* v. *State,* 10 Ohio St. 288; *Commonwealth* v. *Sayars, 21* Pa. Super. Ct. 75.

FRAUDULENT CONVEYANCES—VOLUNTARY CONVEYANCES—SOLVENCY AND INSOLVENCY OF GRANTOR.—The firm of Martin and Pulsifer was a partnership engaged in business in Alabama. In the course of their business they became indebted to the firm of McDaniel & Son, on a number of promissory notes. Shortly after the first of these notes became due and before judgment thereon Pulsifer by deed conveyed his undivided interest in lands to relatives for $2500.00 in cash, later paying them $500.00 to discharge an incumbrance thereon. McDaniel & Son brought a creditor's bill to have the conveyance set aside as in fraud of creditors. *Held,* that the conveyance was valid. *Martin & Pulsifer* v. *J. H. McDaniel & Son* (1910), — Ala. — 53 South. 790.

The rule in Alabama as laid down by the court is that voluntary conveyances are void as to existing creditors of the grantor irrespective of the grantor's solvency or insolvency. Whether or not if a donor at the time he makes a voluntary conveyance is perfectly solvent, a conclusion of fraudulent purpose should be drawn from the mere facts of the existence of debts at the time, and the donor's subsequent inability to discharge them, is a question that at some time or other has perplexed most of our American courts. At one time the rule laid down by the Alabama court, was supported by the weight of authority, many courts being inclined to follow the opinion of Chancellor Kent in the well known case of *Reade* v. *Livingston,* 3 Johns. Ch. 481. See *Schwartz* v. *Hazlett,* 8 Cal. 118, 126. Today, however, the rule is followed only in a few states, it having been overruled or changed by statute in many of the older states or never adopted in the new ones. Alabama is still one of its leading exponents. It is a force in Kentucky by statute. BARBER & CARROLL'S KENTUCKY STAT., Section 1907. See also *Atkins* v. *Globe Bank & Trust Co.,* — Ky. —, 124 S. W. 879. It is followed by South Carolina, West Virginia and New Jersey. *Richardson* v. *Rhodus,* 14 Rich. L. (S. C.) 95. *McCaskey* v. *Potts,* 65 W. Va. 641. *Haston* v. *Castner,* 31 N. J. Eq. 697. Many of the statutory changes consist in making the question of fraudulent intent one of fact instead of a conclusion of law. Burn's Ann. Ind. Stat. (1908), § 7483. California Civ. Code, § 3442. The docrine has been